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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,567	02/11/2000	Jorma Stenman	017.38045X00	5346

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ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 NORTH SEVENTEENTH STREET  
SUITE 1800  
ARLINGTON, VA 22209-9889

EXAMINER

HO, THOMAS M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/502,567

Applicant(s)

STENMAN ET AL.

Examiner

Thomas M Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. **Claims 1-17 are pending.**
2. Claims 1-11 are allowable.

### ***Response to Arguments***

3. Applicant's arguments, with respect to claims 1-11 have been fully considered and are persuasive. The rejection of 2/11/04 has been withdrawn. RFC 2402, 2367, 2407, 2401, and 2409 all disclose various protocols in "Request For Comments" documents, otherwise known as RFCs, which reference one another. For Example, an RFC about IP security references that ESP and AH are "aspects" of the IPsec protocol. However, these separate aspects of Ipsec are disclosed in different documents.

However, while the collective use of these various protocols and exchanges may be anticipated in light of their referencing of one another, Applicant's arguments are persuasive in that they fail to disclose the essential structure and interactions found in claim 1. The Examiner notes that similar art was found in the patent literature, but was found to have the same assignee as the pending application.

4. Applicant's arguments, with respect to claims 12-17 have been fully considered, but are moot in view of new grounds of rejection.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 12-17 are rejected under 35 U.S.C. 102(a) as being unpatentable over “Simple Mobile IP”. Page number citations will refer to the page number of the internal document rather than the printer numbers at the topmost left corner.

In reference to claim 12:

(“Simple Mobile IP”) discloses a method for use in a WLAN in which MAC-level messages are transferred between mobile terminals and access points associated with the mobile terminals, said method comprising the steps of:

- generating an IPsec authentication header in a mobile terminal, where the mobile terminal is the MT (“Simple Mobile IP”. Page 2), where at the mobile terminal, packets are set for transmission between the IP-MLAN and IP-LLAN layers (“Simple Mobile IP”. Page 3, “Section 3.2.1, IP handling at the MT”), and where a generated IPsec authentication header is attached between the two IP headers of the IP-LLAN and IP-MLAN layers. (“Simple Mobile IP”. Page 5, “Section 3.4, Security Support”)
- including said IPsec authentication header in a MAC-level message transferred from the mobile terminal to an associated access point, where the access point is the RBS. (“Simple Mobile IP”. Page 3)

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In reference to claim 13:

("Simple Mobile IP") discloses the method recited in claim 12, wherein the mobile terminal includes a WLAN control process and an IPsec kernel, where the WLAN control process and the kernel is the Authentication Header Processing (Section 3, RFC 2402, Pages 5-15)

("Simple Mobile IP". Page 5, "Section 3.4, Security Support") discloses that "the rules that govern the use of IPsec protocols shall comply to the IPsec protocol suite of recommendations..."

Further rules that govern the use of IPsec protocols can be found in RFC 2402 IP Authentication Header, as RFC 2402 discloses the basic Authentication Header IPsec protocol. These rules are understood to be apart of ("Simple Mobile IP"), though not disclosed in detail in the ("Simple Mobile IP") reference alone. No combination is necessary.

In reference to claim 14:

("Simple Mobile IP") discloses the method recited in claim 13, wherein the IPsec kernel builds the authentication header and passes it to the WLAN control processes, where the kernel is the section of the Authentication Header Processing that generates the authentication header.

(Section 3.1, RFC 2402, Page 5, "Authentication Header Location") & (Section 3.3, RFC 2402, page 8, "Outbound Packet Processing")

Claim 15 is rejected for the same reasons as claim 13.

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In reference to claim 16:

("Simple Mobile IP") discloses the method recited in claim 15, wherein the WLAN protocol process determines that the MAC-level message contains IPsec authenticated data and extracts that data from the MAC level message. (Section 3.2.3, page 4, Simple Mobile IP) "MER strips off the IP header of this packet" and (Section 3.4, RFC 2402, page 13-15, "Inbound Packet Processing")

Claim 17 is rejected for the same reasons as claim 16.

### ***Conclusion***

7. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

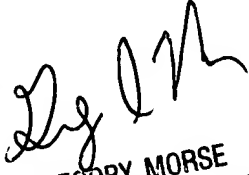
The Examiner may also be reached through email through [Thomas.Ho6@uspto.gov](mailto:Thomas.Ho6@uspto.gov)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist  
Customer Service Representative

Telephone: 571-272-2100  
Telephone: 571-272-2100

Fax: 703-872-9306  
Fax: 703-872-9306

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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TMH

January 15<sup>th</sup>, 2005